

**UNITED STATES DISTRICT COURT**  
for the

Western District of Arkansas

United States of America	)
v.	)
James Mendenhall	) Case No: <u>6:03CR60006-002</u>
Date of Previous Judgment: <u>April 20, 2004</u>	) USM No: <u>07273-010</u>
(Use Date of Last Amended Judgment if Applicable)	) <u>pro se</u>
	) Defendant's Attorney

**Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 60 months is reduced to 49.

**I. COURT DETERMINATION OF GUIDELINE RANGE** (Prior to Any Departures)

Previous Offense Level:	<u>33</u>	Amended Offense Level:	<u>31</u>
Criminal History Category:	<u>I</u>	Criminal History Category:	<u>I</u>
Previous Guideline Range:	<u>135</u> to <u>168</u> months	Amended Guideline Range:	<u>108</u> to <u>135</u> months

**II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE**

- The reduced sentence is within the amended guideline range.
- The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- Other (explain): \_\_\_\_\_

**III. ADDITIONAL COMMENTS**

Except as provided above, all provisions of the judgment dated 4/20/2004 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: April 3, 2008

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

Effective Date: \_\_\_\_\_

(if different from order date) APR 03 2008



Judge's signature

Honorable Robert T. Dawson, U.S. District Judge

Printed name and title

CHRIS R. JOHNSON, CLERK

BY

DEPUTY CLERK